

## 9 PERC ¶ 16014

### UNIVERSITY OF CALIFORNIA (ART MUSEUM)

California Public Employment Relations Board

#### **California State Employees Association, Charging Party, v. Regents of the University of California, Respondent.**

Docket No. SF-CE-84-H

Order No. 449

December 4, 1984

Before Jaeger, Morgenstern and Burt, Members

**Discrimination -- Harassment -- Nexus To Protected Activity -- 72.311, 72.318, 72.323**ALJ properly dismissed union's charge, alleging that university engaged in pattern of discriminatory conduct toward four art museum employees in retaliation for their protected activity, where evidence showed that various incidents of alleged harassment were result largely of personality conflicts that predated union activity [see 8 PERC 15070 (1984)]. In any event, university successfully demonstrated that its conduct was consistent with its established policies, which were applied uniformly to all museum employees. In absence of evidence of disparate treatment of union activists, union's charge was dismissed.

#### APPEARANCES:

Michael R. Bogen and Nadia Tesluk for the California State Employees' Association; Milton H. Gordon, Attorney for Regents of the University of California.

#### **DECISION AND ORDER**

JAEGER, Member: The California State Employees' Association (CSEA) excepts to the dismissal of certain portions of its unfair practice charge against the Regents of the University of California following a formal hearing conducted by an administrative law judge for the Public Employment Relations Board.

The Board has reviewed the entire record, including the proposed decision attached hereto [see 8 PERC 15070 (1984)], and CSEA's exceptions and, finding no prejudicial error in the administrative law judge's findings of fact or conclusion of law, adopts the proposed decision as its own and ORDERS that said portions of the charge are DISMISSED.

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